



DANIEL HARRIGAN, MAYOR

# CITY OF AKRON, OHIO

*Margo Sommerville, President*  
*Jeff Fusco, Vice-President*  
*Mike Freeman, President Pro-Tem*

## Members of Council:

Jeff Fusco, <b>At-Large</b>	Tara Mosley, <b>Ward 5</b>
Linda Omobien, <b>At-Large</b>	Brad McKittrick, <b>Ward 6</b>
Ginger Baylor, <b>At-Large</b>	Donnie Kammer, <b>Ward 7</b>
Nancy Holland, <b>Ward 1</b>	Shammas Malik, <b>Ward 8</b>
Phil Lombardo, <b>Ward 2</b>	Mike Freeman, <b>Ward 9</b>
Margo Sommerville, <b>Ward 3</b>	Sharon Connor, <b>Ward 10</b>
Russel Neal, <b>Ward 4</b>	<a href="http://www.akroncitycouncil.org">www.akroncitycouncil.org</a>

## Council Agenda for October 17, 2022

Regular Meeting held on October 3, 2022. All members were present. Minutes of the previous meeting approved. Ayes: 12, Nays: 0 (Neal abstained).

### CONSENT AGENDA

NO ITEMS

### RULES (M. Freeman, Chair)

TIME:

- 1 ORDINANCE amending and/or supplementing Title 3 “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash Monetary and In-Kind Contributions and Loans” and Section 30.12 “Limits on Cash Contributions” to increase the contribution limits for mayoral and council candidates; and declaring an emergency. (Public Hearing was held June 27, 2022. Continuation of Public Hearing was held 10/3/2022) (See substitute item #1a in New Legislation)

### BUDGET & FINANCE (M. Freeman, Chair)

NO ITEMS

### PLANNING & ECONOMIC DEVELOPMENT (J. Fusco, Chair)

UP FOR PUBLIC HEARING OCTOBER 17, 2022:

- 1        ORDINANCE authorizing a Conditional Use to vary the required side and rear yard setbacks at 2101 Congo Street; and declaring an emergency. (9/26/2022)
- 2        ORDINANCE authorizing a Conditional Use to establish a non-residential day programming drop-in center and to construct an addition at 450 Matthews Street; and declaring an emergency. (9/26/2022)
- TIME:
- 3        ORDINANCE authorizing a Conditional Use to expand a business at 745 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public Hearing was held 10/3/2022)
- 4        ORDINANCE authorizing a Conditional Use to establish a medical marijuana dispensary at 1568 E. Archwood Avenue; and declaring an emergency. (9/12/2022) (Public hearing was held 9/26/2022).
- 5        ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle; and declaring an emergency. (9/12/2022) (Public Hearing was held 9/19/2022)
- 6        D-534 Petition of RVR Realty & Investment for a Conditional Use to expand a business at 745 E. Archwood Avenue (9/12/2022)
- 7        Ordinance authorizing a Conditional Use to expand an existing assisted care facility at 327 S. Miller Road (PC-2022-12-CU) (Public Hearing was held 9/12/2022) (Substitute was offered as an amendment 9/19/2022) (See substitute item #3 in New Legislation)
- 8        D-537 Petition of Culture Retail Partners of Ohio, Inc., for a Conditional Use to establish a medical marijuana dispensary at 1568 E. Archwood Avenue (PC-2022-41-CU) (9/12/2022)
- 9        D-547 Petition of Karen Dowling for a Conditional Use to vary the required side and rear yard setbacks at 2101 Congo Street (PC-2022-51-CU) (9/12/2022)
- 10       D-548 Petition of RAHAB Ministries for a Conditional Use to establish a non-residential day program drop-in center for women and to construct an addition at 450 Matthews Street (PC-2022-46-CU) (9/12/2022)
- 11       ORDINANCE amending and/or supplementing Title 11 “Business Regulations,” Chapter 111 “Regulations Governing Specific Businesses” to enact Article 37 as “Short-term Rentals” to create procedures for the registration, regulation, fees, and enforcement of short-term rentals in the

- City; and declaring an emergency. (7/11/2022) (Substitute was offered as an amendment 10/3/2022) (See substitute item #4a in New Legislation)
- 12 D-519 Petition of Teonka Pickett for a Conditional Use to establish a Type A daycare home at 2235 Yerrick Circle (PC-2022-37-CU)
  - 13 D-500 Petition of Ramon Hernandez for a Conditional Use to establish a short-term rental at 1764 Thornapple Avenue. (6/6/2022)
  - 14 ORDINANCE creating a short-term rental registration tax; amending the City's tax code to unify all current taxes under one Chapter; and declaring an emergency. (7/11/2022)
  - 15 ORDINANCE amending Title 15 "Land Usage", Chapter 153, "Zoning Code" to reflect the enactment of the Title 15, Chapter 155 "Sign Code"; and declaring an emergency. (5/2/2022) (Public Hearing was held May 9, 2022)
  - 16 D-457 Petition of Greenview Senior Living for a Conditional Use to expand an existing assisted care facility at 327 S. Miller Road (PC-2022-12-CU) (04/11/2022).
  - 17 ORDINANCE amending The Zoning Map by changing the Ordinary Industry Use District (U5, H3, A1) and Commercial Use District (U4, H3, A1 and A4) Classifications within the area bounded by E. Mill Street on the north, the existing Retail Business Use District (U3) on the west, the existing University District (UD) and State of Ohio property adjacent to the Metro Regional Transit Authority property on the east and E. Exchange Street on the south, to a Retail Business Use District (U3, H3, A3) Classification; and declaring an emergency. (3/28/2022) (Public Hearing was held April 11, 2022)
  - 18 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road; and declaring an emergency. (12/6/21) (Public Hearing was held January 24, 2022)
  - 19 D-371 Petition of Alicia Lee, for a Conditional Use to establish a Type A daycare home at 1363 Diagonal Road. (PC-2021-58-CU) (PC-2021-38-CU) (11/15/21)
  - 20 ORDINANCE authorizing a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue; and declaring an emergency. (Public Hearing was held 9/20/2021)
  - 21 D-302 Petition of Mayamu Konneh for a Conditional Use to establish a Type A daycare home at 434 Clinton Avenue. (PC-2021-37-CU)

(9/13/21)

- 22 ORDINANCE authorizing a Conditional Use to establish and construct an addition to a bed and breakfast at 814 Bloomfield Avenue; and declaring an emergency. (Public Hearing was held 9/13/21)
- 23 D-285 Petition of Louie Berrodin for a Conditional Use to establish a bed and breakfast and construct an addition at 814 Bloomfield Avenue (PC-2021-30-CU) (7/12/21)
- 24 ORDINANCE amending The Zoning Map by changing the Commercial Use District Classification (U4, H4, A5) on property located on the north side of East Exchange Street, west of South Arlington Street, and changing the Commercial Use District (U4, H2, A4 and U4, H2, A1) on property located on the east side of South Arlington Street, south of East Exchange Street, to Retail Business Use District (U3, H2, A4); and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 25 ORDINANCE amending/supplementing Title 15, Chapter 153, “Zoning Code”, Section 153.140 “Definitions” and Section 153.310 “Business and Industry requirements” establishing a form-based Urban Overlay district for the East Market Street Corridor; and declaring an emergency. (9/14/20) (Public Hearing was held - 10/19/20)
- 26 ORDINANCE authorizing a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue; and declaring an emergency. (Public Hearing was held 6/29/20)
- 27 D-45 Petition of Ngwe Tun for a Conditional Use to establish a retail use at 116 E. Cuyahoga Falls Avenue (PC-2020-09-CU) (3/16/20)
- 28 ORDINANCE authorizing a Conditional Use to construct a parking lot on the east side of W. Center Street (PN 6716587); and declaring an emergency. (Public Hearing was held October 21, 2019)
- 29 D-774 Petition of Community Action Agency for a Conditional Use to construct a parking lot and the sale of City-owned land on W. Center Street. (Parcel No. 6716587) (PC-2019-63-CU & S) (9/16/19)
- 30 ORDINANCE authorizing a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road; and declaring an emergency. (Public Hearing was held 6/25/18)
- 31 D-505 Petition of Joe Blough (Elegant Homes) for a Conditional Use to construct an apartment development at the corner of Mull Avenue and Crawford Road. (PC-2018-15-CU) (6/4/18)

- 32 D-31. Petition of Lonnie Jones for a Conditional Use to establish a rooming house at 460 South Maple Street. (PC-2012-15) (4/16/12)

FILED:

- 34 D-538 Petition of Akron Family Dental Center for a Conditional Use for a dental lab expansion at 1575 Vernon Odom Boulevard (PC-2022-43-CU) (9/12/2022)

**PUBLIC SERVICE (T. Mosley, Chair)**

NO ITEMS

**PUBLIC UTILITIES & GREEN (M. Freeman, Chair)**

NO ITEMS

**PUBLIC SAFETY (D. Kammer, Chair)**

NO ITEMS

**PARKS & RECREATION (P. Lombardo, Chair)**

NO ITEMS

**HOUSING & NEIGHBORHOOD ASSISTANCE (J. Fusco, Chair)**

NO ITEMS

**HEALTH & SOCIAL SERVICES (L. Omobien, Chair)**

NO ITEMS

**FILED**

D-13-21 Income Tax Receipts as of August 2022

**ORDINANCES & RESOLUTIONS PASSED AT PREVIOUS MEETING**

ORDINANCE NO. 270-2022 authorizing a Conditional Use to construct a dental lab addition at 1575 Vernon Odom Boulevard; and declaring an emergency.  
Vote: 13-0.

ORDINANCE NO. 271-2022 authorizing the Mayor or his designee to amend the Coventry-Akron JEDD agreement; approving the addition of property to the

Coventry-Akron Joint Economic Development District; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 272-2022 authorizing the Mayor, or his designee, to negotiate, enter into, execute and deliver agreements and/or other documents in connection with the acquisition of 3445 South Main Street, Akron Ohio 44319, Summit County PPN 1909395; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 273-2022 authorizing the Mayor or his designee to enter into and execute an agreement or agreements between the City of Akron and Coventry Township, in order to allow for the acquisition and joint development of a vacant tract of real estate within Coventry Township; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 274-2022 authorizing the Mayor or his designee to file an application for and, if awarded, accept and expend grant funding from the AFG 2021 Assistance to Firefighter Grant; and declaring an emergency. Vote: 13-0.

ORDINANCE NO. 275-2022 authorizing the Mayor or his designee to enter into a contract or contracts, after publicly advertising for bids, to replace and/or remodel the kitchen at Fire Station #10; and declaring an emergency. Vote: 13-0.

**COMMITTEE MEETINGS  
Scheduled for October 17, 2022:**

1:00 P.M.	Planning & Economic Development	2:30 P.M.	Health & Social Services
1:45 P.M.	Parks & Recreation	2:45 P.M.	Public Utilities & Green
2:00 P.M.	Rules	3:00 P.M.	Budget & Finance
2:00 P.M.	Public Service	3:15 P.M.	Housing & Neighborhood Assistance
2:15 P.M.	Public Safety		

**NEW LEGISLATION**

**RULES**

- 1 RESOLUTION expressing support for H.R. 82, the Social Security Fairness Act of 2021 and S. 1302, the Social Security Fairness Act; and declaring an emergency.
- 1a ORDINANCE amending and/or supplementing Title 3 “Administration,” Chapter 30 “Mayor and Council,” Section 30.11 “Limits on Noncash Monetary and In-Kind Contributions

and Loans” and Section 30.12 “Limits on Cash Contributions” to increase the contribution limits for mayoral and council candidates; and declaring an emergency. (Substitute offered as an amendment. See Regular Agenda Item #1).

## **BUDGET & FINANCE**

- 2 ORDINANCE authorizing the issuance of a bond of the City in a principal amount not to exceed \$9,500,000 for sale to the Water Pollution Control Loan Fund of the State of Ohio to finance the costs of improvements to the City’s wastewater system; pledging certain revenues from the City’s wastewater system on a subordinated basis to secure the payment of the principal of and interest on the Bond; and authorizing the execution and delivery of the Bond, the Trust Agreement and other documents and the taking of other actions related to the issuance and sale of the Bond; and declaring an emergency.

## **PLANNING & ECONOMIC DEVELOPMENT**

- 3 ORDINANCE authorizing a Conditional Use to house up to eight individuals at 327 S. Miller Road; and declaring an emergency. (Substitute offered as an amendment. See Regular Agenda Item #7)
- 4 ORDINANCE authorizing the Mayor, or his designee, to enter into a contract or contracts with the Board of Education of the Akron Public School District for the Community Learning Centers’ Akron After School Program in order to provide learning enrichment activities; and declaring an emergency.
- 4a ORDINANCE amending and/or supplementing Title 11 “Business Regulations,” Chapter 111 “Regulations Governing Specific Businesses” of the City of Akron Code of Ordinances to enact Article 37 “Short-term Rentals” to create procedures for the registration, regulation, fees, and enforcement of short-term rentals in the City; and declaring an emergency. (Substitute offered as an amendment. See Regular Agenda Item #11)

## **PUBLIC SERVICE**

- 5 ORDINANCE authorizing the Mayor, or his designee, to apply for a Water Pollution Control Loan Fund (WPCLF) loan, sign all documents for and enter into WPCLF agreements with the Ohio EPA and OWDA for the construction of the WRF Process Control System Replacement Project; and declaring an

emergency.

- 6 ORDINANCE authorizing the Director of Public Service, after publicly advertising for bids, to enter into a contract or contracts for construction of the WRF Process Control System Replacement Project; and declaring an emergency.
- 7 ORDINANCE authorizing the Director of Public Service, after publicly advertising for bids, to enter into a contract or contracts for construction of the Sanitary Sewer Reconstruction 2021 Large Diameter Lining Project; and declaring an emergency.
- 8 ORDINANCE approving and confirming the appointment of Michael Wheeler as the alternate to Director of Finance Stephen Fricker, a current trustee to the Summit/Akron Solid Waste Management Authority Board, for a term ending February 28, 2025; and declaring an emergency.

#### **PARKS & RECREATION**

- 9 RESOLUTION declaring the City of Akron to be an official Gateway City to the Cuyahoga Valley National Park; expressing appreciation for this unique natural and recreational attraction; and declaring an emergency.